

90 MEN OUT OF EVERY HUNDRED WOUNDED SAVED BY SURGEONS

(Correspondence Associated Press.)
FRENCH FRONT, Nov. 28.—Almost incredible feats have been and are being accomplished every day of the war by the surgeons who treat soldiers wounded on the battlefield. These remarkable feats have increased in frequency as the stricken men are more quickly gathered in by the ambulances and brought to the field hospitals for surgical intervention.

At the beginning of the war it was not always possible to clear up a battlefield of the casualties in less than three or four days, and on many occasions wounded men waited longer before their injuries could be handled. The result of this was that large numbers of the wounded succumbed from gangrene or blood poisoning, or were rendered so feeble from loss of blood that they were unable to undergo operations that were vitally necessary. It was at that time regarded as a satisfactory result when 60 per cent of the wounded brought into the hospitals recovered eventually from their injuries.

This percentage of losses among the wounded men would at present be regarded with horror by the military surgeons, who now reckon with perfect assurance on saving about nine-tenths of the wounded men coming under their treatment. During the battle of Flanders the percentage of recoveries among wounded men brought to the hospitals amounted to 85.

This striking figure was still fur-

ther improved on the occasion of the recent battle in which the French wrested from the Germans the front of Malmaison and caused them to evacuate the Chemin des Dames, after throwing away hundreds of thousands of the crown prince's best troops in the effort to retain it. The French surgeons' reports after the conclusion of the fighting and the treatment of all the wounded show that ninety men out of every 100 brought to hospital recovered from their hurts.

Speed in collecting the wounded is the greatest factor in bringing about this progress.

Americans have had much to do with the speeding up of the ambulance service, for their ambulances have been present at every point where fighting has been severe and their work has been highly praised by the army commanders. Americans have done much in providing hospital accommodations near the front, as well as at the bases.

One instance of American effort in providing for the accommodation and treatment of the wounded is that under the management of Miss Kathleen Park of New York, at her chateau of Annel. There she has worked almost since the very beginning of the war. While the battle for the front of Malmaison was in progress the hospital dealt with a considerable number of wounded, who were first bandaged on the battlefield and then brought down the river Aisne on board a barge fitted up as a floating hospital.

Miss Park says there is only one thing needed to make her hospital complete, and that is what is known as an "autochir," composed of a travelling surgical outfit carried in five automobile wagons—one for the operating room, one for the radiological examinations of wounds, one for carrying bandages and supplies, one for the staff and the fifth to convey the tent for the beds on which the men lie after the operations and while waiting to be conveyed to the barge for transport to the hospital base in the rear. If she possessed this portable hospital she is convinced that many lives would be saved, since rapidity of treatment is the main factor in dealing with wounds.

Miss Park has working with her in conjunction with the French military surgeons a number of American doctors, who all participated in the handling of the French wounded during the battle of Malmaison. Also she has with her several American trained nurses and helpers. Among the doctors are Richard Bolling and Robert Schrock, from New York; George de Tarnovsky, from Chicago; John J. Moorhead, from New York; Paul R. Sieber, J. H. Wagner, Fred Jacob, B. Z. Cashner and H. G. Clarke, of Pittsburgh.

The nurses comprise Misses Sweet, Kilgrew and Holley, from the Detroit Harper hospital; Miss L. B. Smith, from New York hospital, and Miss Pomey, from the Roosevelt hospital of New York.

WOMAN WHO SOLD SILVER MINE FOR 5 MILLION NOW WANTS 30 MILLION

(By Associated Press.)
COEUR D'ALENE, Idaho, Dec. 19.—Alleging that through misrepresentation of its value she had sold her one-sixteenth interest in the Hercules lead and silver mine of the Burke, Idaho, district, at a price far below its worth, Mrs. Mathilde Cardoner, now of Albuquerque, N. M., brought suit in the district court here to recover the property.

The defendants named were Eugene R. Day, who formerly had been administrator of her late husband's estate; Eleanor Day Royd, his sister, and Jerome J. Day and Harry L. Day, his brothers. Also named was Harry Allen, who acted as her agent in selling her share in the mine.

Mrs. Cardoner sold her interest in the mine, together with a portion of the undivided profits of the property and some real estate in Idaho, for \$370,000. This was figured on a basis of \$5,000,000 for the mine, which, she said, she had been informed was a fair price for the property, as the ore was in danger of running out and because business rivals of the Day interests, who controlled the Hercules, contemplated measures that would endanger the business security of the property.

In her suit, Mrs. Cardoner declared that subsequently she learned that the real value of the mine was \$30,000,000 and demanded that the contract of sale, which had not been executed, be rescinded.

The late husband of Mrs. Cardoner, Damian Cardoner, acquired the one-sixteenth interest in the mine later

bequeathed to his wife by purchase from Harry Orchard, formerly one of the partners in the mine. Orchard is serving a life sentence in the state penitentiary for the murder of former Governor Frank Steunenberg at Caldwell, Idaho, in 1915. Orchard's trial was one of the famous trials of that year. It is said Orchard, seeking funds to pay his counsel, sold his interest in the Hercules for less than \$10,000.

Counsel for Mrs. Cardoner contended that since Day had never been finally discharged as administrator of her husband's estate, he still bore that relation to her, and that it was therefore his duty to act as her adviser and to inform her of the true value of the property and the advisability of selling her interest. It also was contended by the plaintiff that she was unaware that Allen was acting as her agent in the transaction, until after it had been entered into, but she believed he was representing Day.

Many mining experts were called to testify for the defense relative to the value of the Hercules. Day testified that he estimated the value of the mine on a computation that three-fifths of the life of the property had passed, and on the basis of the earnings of \$10,000,000 in the first fifteen years of its existence there should be about \$5,000,000 more worth of ore in it.

Frederick Burbridge, general manager of the Federal Mining and Smelting company, supported Day's testimony and L. W. Hutton and August Paulsen, two Spokane mining millionaires, whose fortunes had been made by the Hercules, also testified for the defense that the value of the mine was no more than \$4,000,000 or \$5,000,000. Other mining experts were called by the plaintiff in rebuttal, and among them W. Earl Greenough, a mining engineer, testified that ore in the mine at the time Mrs. Cardoner sold her interest was worth \$10,750,000, according to his computation.

Counsel for the defense argued, regarding the relationship between Day and Mrs. Cardoner, that the duties of the former as administrator ended when the final decree of distribution was entered in Damian Cardoner's estate, and that Day was

not bound by his obligation as administrator.

The experience of Mrs. Cardoner and her late husband is a typical one among owners of the Hercules mine. The fortunes of many persons whose wealth now is computed in the millions were started with the dividends received from the mine, after years of toil and self-denial on their parts had put it into the producing class.

Mrs. Cardoner ran a small fruit store for some years at Burke, Idaho, where her wife did sewing and gave lessons in French. They saved their money and when Orchard was forced to sell his mining interests he found a ready buyer in Mr. Cardoner, who is said to have previously supplied Orchard with groceries while he worked in the mine.

Another of the present owners of the mine who now figures his wealth in the millions formerly was a dairyman, and still another was a locomotive engineer.

During the trial of the suit, which began here December 5 and continued until December 10, Mrs. Cardoner, with her counsel and associates, occupied Bozanta Tavern, a large summer hotel at a nearby lake, which she had leased for the purpose. They were transported to and from the trial here in limousines. The Days and their party occupied several suites in the leading hotel here, which was largely given over to their needs during the trial.

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DEMURRER IN WHITE CAPS CASE DENIED BY JUDGE MARK AVERILL

Judge Mark R. Averill yesterday afternoon denied the demurrer to the reply and the motion to strike in the case of the White Caps Mining company versus the Manhattan Morning Glory Mining company. The decision in full follows:

The demurrer to the reply heretofore and the motion to strike parts of it were argued together. They are based upon the same questions of law.

These questions of law are three in number:

1. That the existence of a vein is conclusively established by the patent.
2. That the several defenses offered by the reply to affirmative matter in the answer are inconsistent.
3. That the several defenses offered by the reply to affirmative matter in the answer are argumentative.

I have purposely omitted a considerable number of words from the first of these, as it is stated in the demurrer and notice of motion, because at this time, when the veniremen are being summoned from among whom the jury is to be selected for the trial of the case, nothing should be contained in a ruling or opinion, even on questions of law, that may influence them.

I have already pretty well indicated, I think, upon the hearing on injunction and application for survey what my view is upon this contention in the case, and I have since examined carefully the authorities cited to support it without changing that view. I think it best, as just suggested, not to discuss my reasons for adhering to my former position.

My conclusion on this point disposes of any inconsistency the defenses offered may have with the asserted conclusiveness of the law, for the present at least.

In other respect I do not find the defenses so inconsistent as to be objectionable. My experience with apex cases is that it sometimes happens that inconsistent defenses must be resorted to in order that the whole case may be presented to the court, both the law and the evidence. If a case could be tried piecemeal, certain issues might be eliminated after receiving proper attention, but such a plan is so fraught with disadvantages that it is seldom resorted to. The authorities examined by me hold that inconsistent defenses may be pleaded if not so contradictory of each other that one must be untrue if the other is true. I find nothing of that kind here.

The other objection is that the defenses offered are argumentative. They are hypothetical, which in this connection means based upon hypotheses. A case often proceeds for a time upon two theories, wholly at variance, and this is such a case. For the purpose of the reply, the plaintiff assumes the theory of the defendant and then proceeds to meet

it with a defense, adopting it only for the purpose of stating that defense. I find that this is sometimes necessary in order that every phase of the case may be presented to the court.

The last two paragraphs, those just preceding this, are hardly necessary, in that both demurrer and motion to strike rest upon the first contention, that of the asserted conclusive effect of the patent, but the argument took a wider range than a close reading of the demurrer and motion seems to warrant, for which reason I have endeavored to dispose of the contentions as indicated by my notes and the authorities cited.

The demurrer is overruled and the motion to strike is denied.

PRACTITIONER WHO SUED DISOWNED BY CHURCH

(By Associated Press.)
NEW YORK, Dec. 19.—Albert F. Gilmore of the committee of publication of the Christian Science church for New York state issued a statement last night in which he declared Grace M. Trankia, who began suit Monday against Clarence C. Burger to recover pay for service as a practitioner, was not a Christian Scientist.

Careful investigation, Mr. Gilmore said, has disclosed that she is not known as a member or a regular attendant of the local church; that she is not a member of the mother church in Boston, nor on the list of authorized practitioners. The methods indicated in Miss Trankia's complaint are not in accordance with the custom and practice of the true followers of the teaching, he declared.

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FARMERS WARNED NOT TO SHIP HOGS NOW

(By Associated Press.)
CHICAGO, Dec. 19.—A warning to farmers not to ship hogs, but to hold them back for the present in order to avoid falling prices, has been sent out by J. P. Cotton, head of the meat division of the food administration.

In a written statement, he says: "Hold back your hogs. On November 2 I stated that the prices of hogs, so far as this division could affect them, would not fall below about \$15 per hundredweight for the average of the packers' droves on the Chicago market until further notice. That statement I make again.

"The packers inform me they are doing their best to aid us in that policy, but largely owing to transportation difficulties in the East there is now a glut of hogs on the Chicago market, and more hogs than the packers can kill and handle.

"The farmers and commission men in this territory must help by holding back hogs temporarily, especially from the Chicago market. If there is co-operation, the minimum will be maintained. Do not sacrifice your hogs by dumping them on an overcrowded market."

ISHII FEASTED.

(By Associated Press.)
TOKIO, Dec. 18.—Viscount Kikujiro Ishii, head of the Japanese mission which recently visited the United States, was the guest of honor at a banquet given last evening, which was attended by 200 Japanese and Americans. Baron Etschi Shibusawa, president of the American-Japanese association and chairman of the Tokio Bankers' association, presided. The guests at the function were the members of the special mission which visited the United States, the American ambassador, Roland S. Morris, and the entire staff of the American embassy.

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APPEALS TO GERMANS HERE TO AID U. S.

(By Associated Press.)
NEW YORK, Dec. 19.—An appeal to American citizens of German birth and descent to join its campaign for helping the United States during the war was made public today by the executive committee of the friends of German democracy. Franz Siegel, son of General Franz Siegel, of Civil war fame, is president of the organization.

"This war is not a war on the part of America against the German nation," the appeal stated. "It is rather a war against a peculiar system of society and government. This system of society and government unhappily dominates the German people to their own and the world's undoing."

BUTTER FOR WILSON.

(By Associated Press.)
WASHINGTON, Dec. 19.—President Wilson has received a pound of butter for his Christmas dinner which cost \$567. It was made by Mrs. C. E. Easterday of Marble Rock, Ia., and auctioned at a fair by the Red Cross auxiliaries to Union and Scott townships.

Jones' pure apple cider at Hall Liquor company. Just arrived. Six hits a gallon. advN23tf

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